

United States District Court FILED

DISTRICT COURT OF GUAM

for

District of Guam

MAR 30 2007 M/S

MARY L.M. MORAN
CLERK OF COURT

Report on Offender Under Supervision

Name of Offender: **Joseph G. Tuncap** Case Number: **CR 98-00307-001**

Name of Sentencing Judicial John S. Unpingco

Date of Original Sentence: May 21, 1999

Original Offense: Bank Fraud, in violation of Title 18 United States Code, Sections 1344 and 2.

Original Sentence: 125 months imprisonment followed by a 60 month term of supervised release with conditions to include: pay restitution in the amount of \$117,983.98 to the victims; payments shall be made to the U.S. District Court of Guam; perform 400 hours of community service; participate in a drug treatment program approved by the U.S. Probation Office for treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance abuse; obtain and maintain gainful employment; and pay a \$600 special assessment fee. On November 8, 2006 conditions were modified to include refrain from the unlawful use of a controlled substance and submit to one drug test within 15 days of release from imprisonment and at least two drug tests thereafter, not to exceed eight drug tests per month, as directed by the probation officer.

Type of Supervision: Supervised Release Date Supervision Commenced: October 27, 2006

NONCOMPLIANCE SUMMARY

Violation Number Nature of Noncompliance

1. Unlawful use of a controlled substance, in violation of 18 U.S.C. §3583(d).

Mr. Tuncap tested presumptive positive for the use of methamphetamine on March 13, 2007. He denied use and the specimen was sent to Scientific Testing Laboratories for confirmation testing. On March 20, 2007, during a counseling session, Mr. Tuncap admitted in writing to using methamphetamine on March 12, 2007. Also on March 20, 2007, the specimen was confirmed positive for the use of amphetamine and methamphetamine.

Mr. Tuncap is participating in a substance abuse testing and treatment program under the direction of the Probation Office, and has been returned to phase one, day one of the program. Mr. Tuncap will continue to be monitored, and any further violations will be reported to the Court.

Mr. Tuncap paid the \$600 special assessment fee on March 14, 2007. He is employed on a full time basis as a laborer, and restitution is being garnished from his wages at a rate of \$50 biweekly. He is actively performing community service at a rate of eight hours weekly.

This report is for informational purposes only, and it is respectfully recommended that no action be taken.

Reviewed by:

Respectfully submitted,


ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader
Date: 3/28/07

by: 
GRACE D. FLORES

U.S. Probation Officer

Date: March 27, 2007

THE COURT ORDERS

No Response is necessary unless the court directs that additional action be taken as follows:

- Submit a Request for Modifying the Condition of Term of Supervision
- Submit a Request for Warrant or Summons
- Other: Condition suspended as recommended

RECEIVED
MAR 28 2007
DISTRICT COURT OF GUAM
HAGATNA, GUAM


HON. FRANCES M. TYDINGCO-GATEWOOD
Chief Judge
District of Guam
3/29/07
Date